

Ordinance No.

118749

Council Bill No.

111875

ORDINANCE vacating the Alley in Block 2, Ross 2nd Addition, being the alley in the block bounded by West Emerson Street, 6th Avenue West, West Nickerson Street, 3rd Avenue West, and West Bertona Street, and the Alley between Block 55 and Block 56, Denny and Hoyt's Addition, being the alley in the block bounded by West Cremona Street, 3rd Avenue West, West Bertona Street, West Nickerson Street and Queen Anne Avenue North, on the petition of Seattle Pacific University; accepting deeds to real property for park and recreation purposes, and general municipal purposes; and accepting a hold harmless agreement (CF 298688).

Date Introduced:	SEP 15 1997	
Date 1st Referred:	SEP 15 1997	To: (committee) TRANSPORTATION
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	10-13-97	Full Council Vote: 9-0
Date Presented to Mayor:	10-13-97	Date Approved: OCT 20 1997
Date Returned to City Clerk:	OCT 20 1997	Date Published: OCT 20 1997 T.O. FT 12
Date Vetoes by Mayor:		Date Veto Published:
Date Passed Over Veto:		Veto Sustained:

# The City of Seattle - Legislative Council Bill/Ordinance sponsor

Law Department

Committee

OCT 7 1997 - Transportation Dept

10-13-97 Full Council

This file is complete and ready for presentation to

Law Dept. Review

OMP  
ReviewCity  
Review

**The City of Seattle - Legislative Department**

Council Bill/Ordinance sponsored by: \_\_\_\_\_

McIVER

Councilmember

*Law Department*

**Committee Action:**

Oct 7, 1997 - Transportation pass 2-0

10-13-97 Full Council Action: Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_

(Initial/date)

Law Dept. Review

OMP  
Review

City Clerk  
Review

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ORDINANCE 118749

AN ORDINANCE vacating the Alley in Block 2, Ross 2nd Addition, being the alley in the block bounded by West Emerson Street, 6th Avenue West, West Nickerson Street, 3rd Avenue West, and West Bertona Street, and the Alley between Block 55 and Block 56, Denny & Hoyt's Addition, being the alley in the block bounded by West Cremona Street, 3rd Avenue West, West Bertona Street, West Nickerson Street and Queen Anne Avenue North, on the petition of Seattle Pacific University; accepting deeds to real property for park and recreation purposes, and general municipal purposes; and accepting a hold harmless agreement (Clerk File No. 298688).

WHEREAS, the City Council reviewed Seattle Pacific University Major Institution Master Plan and adopted the Master Plan on March 4, 1991, thereby agreeing to phase the street and alley vacations; and

WHEREAS, Seattle Pacific University and the City Council agreed to phase street vacation review and the Phase I vacation of 5th Avenue West (Clerk File No. 296078) was approved following a public hearing on February 5, 1991, and vacated in Ordinance No. 116635; and

WHEREAS, City Council agreed that Seattle Pacific University would transfer real property to the City for the Phase I street vacation of 5th Avenue West subject to acceptance hereby; and

WHEREAS, a review concluded that the parcels are acceptable to the City for open space, park and recreation purposes, or general municipal purposes; and

WHEREAS, certain property transferred to the City by Seattle Pacific University is hereby accepted and placed under the jurisdiction of the Department of Parks and Recreation and Executive Services Department; and

WHEREAS, a hold harmless agreement was executed to insure that no questions arose in the future about the use of property retained by Seattle Pacific University, and is hereby accepted and attached; and

WHEREAS, there has been filed with the City Council the petition of Seattle Pacific University, (Clerk File No. 298688), for the Phase II vacations of the Alley in Block 2, Ross 2nd Addition and the Alley between Block 55 and 56, Denny & Hoyt's Addition, as therein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on July 19, 1994, said petition was granted by the City Council; and

WHEREAS, pursuant to Section 35.79.030 and Seattle Municipal Code Chapter 15.62, the petitioner has paid to the City \$180,505, which amount is one-half the appraised value of the property approved for vacation according to an appraisal obtained by the Director of Engineering; and Now, Therefore;

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

The alley in Block 2, Ross Second Addition, as recorded in Volume 2 of

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1 Plats, page 140, Records of King County, Washington, being the alley in  
2 the block bounded by West Emerson Street, 6th Avenue West, West  
3 Nickerson Street, 3rd Avenue West and West Bertona Street;

4 AND

5 The alley between Block 55 and Block 56, Deery and Hoyt's Addition, as  
6 recorded in Volume 2, page 136, Records of King County, Washington, being  
7 the alley in the block bounded by West Cremona Street, 3rd Avenue West,  
8 West Bertona Street, West Nickerson Street and Queen Anne Avenue North;

9 be and the same are hereby vacated; RESERVING to the City of Seattle the right to make all  
10 necessary slopes for cuts or fills upon the above-described property in the reasonable original  
11 grading of any rights-of-way abutting upon said property after said vacation.

12 Section 2. That the deed executed by Seattle Pacific University on the 31st day of  
13 October, 1995, conveying to the City of Seattle for general municipal purposes the  
14 following described property in Seattle, King County, Washington:

15 Seattle Pacific University Parcel No. 1, Tax Lot 744300-0430:

16 Lot 1, Block 3, Ross Second Addition to the City of Seattle, as recorded in  
17 Volume 2 of Plats, page 140, Records of King County, Washington;

18 King County Recording # 9511131258 (Exhibit A)

19 is hereby accepted, and the real property conveyed by such deed is placed under the  
20 jurisdiction of the Executive Services Department.

21 Section 3. That the deeds executed by Seattle Pacific University on the 31st day  
22 of October, 1995, conveying to the City of Seattle for open space, park and recreation  
23 purposes the following described property in Seattle, King County, Washington:

24 Seattle Pacific University Parcel No. 2, Tax Lot 794010-0055:

25 Lots 6 through 10, inclusive, Block 7, Springbrook Addition to the City of Seattle,  
26 as recorded in Volume 2 of Plats, page 75, Records of King County, Washington;  
27 EXCEPT that portion thereof condemned for widening Third Avenue West in  
28 King County Superior Court Cause No. 58399 as provided for by Ordinance No.  
29 16716 of the City of Seattle;

30 King County Recording # 9511131259 (Exhibit B)

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Seattle Pacific University Parcel No. 3. Tax Lot 197220-4165:

Lots 4 through 8 inclusive, Block 49, Denny & Hoyt's Addition to the City of Seattle, as recorded in Volume 2 of Plats, page 136, Records of King County, Washington; EXCEPT portion thereof conveyed to the United States of America for a canal right-of-way by deed recorded under Auditor's File No. 192544, Records of King County.

King County Recording # 9511131260 (Exhibit C)

is hereby accepted, and the real property conveyed by such deed is placed under the jurisdiction of the Department of Parks and Recreation.

Section 4. That the hold harmless agreement signed by Seattle Pacific University on July 7, 1997 and executed is hereby accepted and attached (Exhibit D).

Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 13<sup>th</sup> day of October, 1997,  
and signed by me in open session in authentication of its passage this 13<sup>th</sup> day  
of October, 1997.

President Janet Drago of the City Council.

Approved by me this 20<sup>th</sup> day of October, 1997.

Norman S. Hill  
Mayor.

Filed by me this 20 day of October, 1997.

Jason E. Steppin  
City Clerk.

(SEAL)

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## City of Seattle

Norman B. Rice, Mayor  
Seattle Transportation  
Daryl R. Grigsby, Director

August 18, 1997

Honorable Norman B. Rice  
Mayor of the City of Seattle  
1200 Municipal Building  
600 Fourth Avenue  
Seattle, Washington 98104

ATTENTION: Judy Bunnell, Acting Director  
Office of Management and Planning

SUBJECT: Vacation of alley in Block 2, Ross 2nd Addition and alley between Block 55  
& 56, Denny & Hoyt's Addition, C.F. No. 298688

Honorable Mayor Rice:

Enclosed is a Council Bill to vacate the alley in Block 2, Ross 2nd Addition, and the alley between Blocks 55 & 56, Denny & Hoyt's Addition (CF 298688), to accept real property conveyed to the City by Seattle Pacific University, and to accept a Hold Harmless Agreement between the City and Seattle Pacific University. The alleys generally are described as the alley in Block 2, Ross 2nd Addition as bounded by West Emerson Street, Sixth Avenue West, West Nickerson Street, Third Avenue West and West Bertona Street, and the alley between Blocks 55 & 56, Denny & Hoyt's Addition as bounded by West Cremona Street, Third Avenue West, West Bertona Street, West Nickerson Street, and Queen Avenue North.

### Background

Seattle Pacific University (SPU) published a revised Second Century Master Plan in 1986. The City Council reviewed and adopted the Major Institution Master Plan (MIMP) on March 4, 1991. The Master Plan contemplated two phases of development activity covering the years 1986-1996.

### Phase I

In 1987, SPU petitioned the City Council for Phase I street vacations. Phase I called for vacating portions of 5th Avenue West; 4th Avenue West; West Cremona Street; the alley in Block 3, Victory Addition; and the alley in Block 7, Replat of Irongate Addition. The Council approved Phase I vacations following a public hearing held on January 15, 1991, subject to a number of conditions. The vacation conditions required SPU to obtain ownership of all property abutting each street or arrange for access, to provide for relocation or easements for all existing utilities, and the provision that the Council adopt the Master Plan. In addition, the Council required SPU to dedicate certain property to the City. The Phase I vacations were completed in Ordinance 11663.

Seattle Municipal Building, 600 Fourth Avenue, Room 708, Seattle, WA 98104-1879  
Tel: (206) 684-7623, TTY/TDD (206) 684-4009, FAX: (206) 684-5180

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Honorable Mayor Rice  
August 18, 1997  
Page 2

It was anticipated that acceptance of the property deeded to the City during Phase I would occur in the Phase II Ordinance.

The City requested that SPU dedicate the following parcels:

- Parcel #1. Lot 1, Block 3, Ross Second Addition, as recorded in Volume 2 of Plats, page 140, Records of King County, Washington.
- Parcel #2. Lots 6 through 10, Block 7, Springbrook Addition as recorded in Volume 2 of Plats, page 75, records of King County Washington, and
- Parcel #3. Lots 4 through 8, Block 49, Denny and Hoyt's Addition, as recorded in Volume 2 of Plats, page 136, Records of King County, Washington.

SPU ordered an appraisal of the vacation area and property exchange once the conditions were satisfied. The appraised value of the property exchange exceeded the appraised value of the street vacations, creating a surplus in favor of the petitioner. SPU suggested that the surplus from Phase I vacations carry over to future vacation fees. The City agreed to carry over the surplus since SPU had already petitioned the City Council for Phase II vacations.

In order to insure that no questions arose in the future about the use of property retained by SPU, the City required a hold harmless agreement.

A review of the real property concluded that the parcels were acceptable to the City for open space, park and recreation purposes, and general municipal purposes. This Council Bill accepts Parcel 1 for general municipal purposes and places the property under the jurisdiction of the Executive Services Division. Parcels 2 and 3 are placed under the jurisdiction of the Department of Parks and Recreation for open space, park and recreation purposes as contemplated by the City Council.

#### Phase II

SPU filed the petition for Phase II vacations in December 1991, following conceptual approval of Phase I vacations by the Council.

Following a public hearing held on July 19, 1994, the City Council granted Phase II vacations of the alley in Block 2, Ross 2nd Addition, and the alley between Blocks 55 & 56, Denny & Hoyt's Addition, subject to certain conditions. The vacation was subject to the following conditions:

- US West required an easement to protect facilities in the alley between Blocks 55 and 56;
- SPU must continue to provide for drainage in the areas to be vacated;
- SPU must continue to monitor the success of its TMP. In the event that SPU does not meet its goals, the University must be ready to revise and expand its program in order to achieve its stated goals;
- SPU must work to minimize impacts on local residents in siting the entrances, exits, and signage of the proposed parking structures;

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Honorable Mayor Rice  
August 18, 1997  
Page 3

- SPU must complete its agreement with other property owners abutting the alley, and provide written documentation of this agreement prior to ordinance approval of the vacations;
- SPU must fund whatever traffic mitigation measures Seattle Transportation determined to be the best solution to their particular problems on 5th Avenue West, up to a maximum of \$15,000.
- SPU must execute a hold harmless agreement to insure that no liability to the City would result from the transfer of Lot 1, Block 3, Ross Second Addition, as required by Phase I vacation of 5th Avenue West.

In 1997 Seattle Pacific University paid the street vacation fee of \$179,105.00, which is one-half the appraised value of the street vacation area, including an adjustment for the carry over from Phase I vacations.

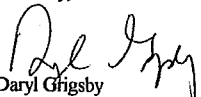
RECOMMENDATION

The petitioner has satisfied the following conditions:

- SPU has provided an easement for US West facilities;
- SPU will provide drainage in the vacated areas when new construction is proposed;
- SPU continues to monitor the Transportation Management Plan;
- SPU will provide adequate residential access through any future parking structure that may be developed on Block 2, Ross Second Addition;
- SPU has provided documentation of agreements with other property owners abutting the alley;
- SPU installed traffic circles on 5th Avenue West in September 1996;
- SPU executed a hold harmless agreement to protect the City from takings or inverse condemnation resulting from the transfer of Lot 1, Block 3, Ross 2nd Addition.

I recommend approval of this Council Bill.

Sincerely,

  
Daryl Ghigsby  
Director, Seattle Transportation

DG/MLS:mls

cc: Joe Jainga, Puget Sound Energy  
John Mortensen, U.S. West Communications  
Susan Solberg, Metro  
Lionel Sun, Water Department  
James Young, Seattle Steam Company

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**LIST OF EXHIBITS**

- Exhibit A**      Warranty Deed for Lot 1, Block 3, Ross 2nd Addition
- Exhibit B**      Warranty Deed for Lots 6 through 10, inclusive, Block 7, Spring Brook Addition to the City of Seattle
- Exhibit C**      Warranty Deed for 4 through 8, inclusive, Block 49, Denny & Hoyt's Addition to the City of Seattle
- Exhibit D**      Hold Harmless Agreement between City of Seattle and Seattle Pacific University

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RETURN TO:

City of Seattle Engr Dept - 1. Insp Div  
600 Fourth Ave Rm 400  
Seattle, WA 98104

EXH A

RW 95040-3  
ENG. DEPT.

DEED

GRANTOR, **Seattle Pacific University**, a non-profit corporation of the State of Washington, which acquired title as Seattle Pacific College, for and in consideration of ONE AND NO/100 DOLLAR(S) (\$1.00), and other good and valuable consideration, receipt of which is hereby acknowledged, conveys and warrants to **THE CITY OF SEATTLE**, a municipal corporation of the State of Washington, the following described real property in Seattle, King County, State of Washington:

Lot 1, Block 3, Ross Second Addition to the City of Seattle, according to the plat thereof recorded in Volume 2 of Plats, page 140, Records of King County, Washington;

situate in the City of Seattle, County of King, State of Washington.

DATED THIS 31st DAY OF October, 19 95

by **Seattle Pacific University**, a non-profit corporation of the State of Washington

Donald W. Mortenson  
BY: Donald W. Mortenson  
Vice President for Business and Finance  
Seattle Pacific University

STATE OF Washington )  
COUNTY OF King ) ss.

I certify that I know or have satisfactory evidence that Donald W. Mortenson signed this instrument, on oath stated that (he/she/they) (was/were) authorized to execute the instrument, and acknowledged it as the Vice President of Seattle Pacific Univ. Corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: October 31<sup>st</sup> 1995

Maria Elaine Warden  
NOTARY PUBLIC in and for the State of  
Washington  
residing at Seattle  
My appointment expires 7-9-97



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RETURN TO:

City of Seattle Parks Dept  
100 Dexter Ave N  
Seattle, WA 98109

NOT B

RW 95040-1  
ENG. DEPT.

DEED

GRANTOR, **Seattle Pacific University**, a non-profit corporation of the State of Washington, which acquired title as Seattle Pacific College and as Seattle Pacific College, Inc., a Washington corporation, for and in consideration of ONE AND NO/100 DOLLAR(S) (\$1.00); and other good and valuable consideration, receipt of which is hereby acknowledged, conveys and warrants to **THE CITY OF SEATTLE**, a municipal corporation of the State of Washington, the following described real property in Seattle, King County, State of Washington:

Lots 6 through 10, inclusive, Block 7, Spring Brook Addition to the City of Seattle, according to the plat thereof recorded in Volume 2 of Plats, page 75, Records of King County, Washington; EXCEPT that portion thereof condemned for widening Third Avenue West in King County Superior Court Cause No. 58399 as provided for by Ordinance No. 16716 of The City of Seattle;

situate in the City of Seattle, County of King, State of Washington.

DATED THIS 31st DAY OF October, 1995

by **Seattle Pacific University**, a non-profit corporation of the State of Washington

BY: Donald W. Mortenson  
Donald W. Mortenson  
Vice President for Business and Finance  
Seattle Pacific University

STATE OF Washington  
COUNTY OF King )ss.

I certify that I know or have satisfactory evidence that Donald W. Mortenson signed this instrument, on oath stated that he/she/they (was/were) authorized to execute the instrument and acknowledged it as the Vice President of Seattle Pacific Univ. Corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: October 31st 1995

APPROVED AS TO FORM ONLY  
MARK H. SIDRAN  
City Attorney

By: Michael B. Barber  
Assistant City Attorney 11-10-95

Marcia Elaine Walman  
NOTARY PUBLIC in and for the State of  
Washington  
residing at Seattle  
My appointment expires 7-9-97



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7.00

951113-1259 03:31:00 PM KING COUNTY RECORDS 001 JD

RETURN TO:

City of Seattle Engr Dept - T. Div  
500 Fourth Ave Rm 400  
Seattle, WA 98104

RW 95040-2  
ENG. DEPT.

DEED

GRANTOR, **Seattle Pacific University**, a non-profit corporation of the State of Washington, which acquired title as Seattle Pacific College, for and in consideration of ONE AND NO/100 DOLLAR(S) (\$1.00), and other good and valuable consideration, receipt of which is hereby acknowledged, conveys and warrants to **THE CITY OF SEATTLE**, a municipal corporation of the State of Washington, the following described real property in Seattle, King County, State of Washington:

Lots 4 through 8, inclusive, Block 49, Denny & Hoyt's Addition to the City of Seattle, according to the plat thereof recorded in Volume 2 of Plats, page 136, Records of King County, Washington; EXCEPT portion thereof conveyed to the United States of America for a canal right-of-way by deed recorded under Auditor's File No. 192544, Records of King County, Washington;

situate in the City of Seattle, County of King, State of Washington.

DATED THIS 31st DAY OF October, 1995

by **Seattle Pacific University**, a non-profit corporation of the State of Washington

Donald W. Mortenson  
BY: Donald W. Mortenson  
Vice President for Business and Finance  
Seattle Pacific University

STATE OF Washington )  
COUNTY OF King ) ss.

I certify that I know or have satisfactory evidence that Donald W. Mortenson signed this instrument, on oath stated that (he/she/they) (was/were) authorized to execute the instrument and acknowledged it as the Vice President of Seattle Pacific Univ. Corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: October 31st 1995

APPROVED AS TO FORM ONLY  
MARK H. SIDRAN  
City Attorney

By Robert B. Barlow 11-10-95  
Assistant City Attorney

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Maria Edwin Walden  
NOTARY PUBLIC in and for the State of  
Washington  
residing at Seattle  
My appointment expires 7-9-97



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9511131260

7.00

951113-1260 03:31:00 PM KING COUNTY RECORDS 001 JD

Filed for Record at Request of:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Seattle, Washington

**HOLD HARMLESS AGREEMENT**

WHEREAS, Seattle Pacific University ("University") has petitioned for several street and alley vacations under C.F. No. 296078 ("Petition"); and

WHEREAS, the Seattle City Council in giving preliminary approval to the Petition has required that, in order to improve traffic in the vicinity, the University dedicate to the City certain property, the legal description of which is attached hereto and by this reference incorporated herein as Exhibit A ("Lot 1"); and

WHEREAS, Lot 1 composes a portion of other property owned by the University, the legal description of which is attached hereto and by this reference incorporated herein as Exhibit B ("Subject Property"); and

WHEREAS, upon dedication of Lot 1 to the City, the Subject Property will be physically isolated from other property owned by the University, thus reducing its development potential; and

WHEREAS, the City wishes to protect itself from any claim by the University, or any future claim by the owner of the Subject Property, that dedication of Lot 1 and isolation of the Subject Property constitutes a compensable taking or inverse condemnation of the Subject Property;

NOW, THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the University and the City covenant, agree and declare as follows:

1. No Taking. The University shall not bring any claim, or otherwise cause, directly or indirectly, any claim to be brought, against the City which alleges that compensation is owed, now or in the future, on the basis that the University's dedication of Lot 1 to the City constitutes a taking or inverse condemnation relating to the Subject Property.

2. Hold Harmless. The University shall indemnify, defend and hold the City harmless from and against any and all claims by future owners of the Subject Property that dedication of Lot 1 to

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the City constitutes a taking or inverse condemnation relating to the Subject Property. The University shall not, however, be responsible to the City for any other damages resulting from the dedication of Lot 1 to the City. If any claim covered by this paragraph is asserted against the City, the City shall give the University reasonable notice and opportunity to defend such claim at its own cost and expense. If the University does not undertake to defend such claim in a reasonably diligent manner, the City shall be entitled to defend the claim and to be reimbursed by the University for all reasonable costs and expenses incurred in such defense, whether or not a lawsuit has been commenced.

3. Miscellaneous. This Agreement shall run with and bind the Subject Property and Lot 1 and shall inure to the benefit of and be enforceable by the University and the City and their respective successors and assigns in perpetuity unless an instrument signed by the owners of Lot 1 and the Subject Property has been recorded agreeing to terminate this Agreement.

DATED this 7th day of July, 1997.



SEATTLE PACIFIC UNIVERSITY

By DWYan  
Its Vice President for Business  
and Planning  
DONALD W. MORTENSON

THE CITY OF SEATTLE

By Daryl Grigsby  
Daryl Grigsby, Director of  
Seattle Transportation

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STATE OF WASHINGTON )

COUNTY OF KING )

ss.

I certify that I know or have satisfactory evidence that Donald W. Mortenson is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the Vice President for Business and Planning of Seattle Pacific University, a corporation, to be the free and voluntary act of such corporation for the uses and purposes mentioned in the instrument.

Dated this 7<sup>th</sup> day of July, 1997.



Rebecca A. Tindall  
(Signature of Notary)

Rebecca A. Tindall  
(Legibly Print or Stamp Name of Notary)

Notary public in and for the state of Washington, residing at Seattle

My appointment expires 2.19.01

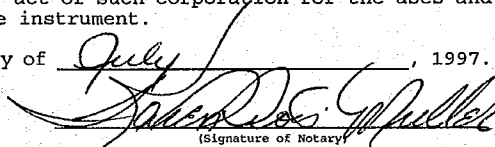
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STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

I certify that I know or have satisfactory evidence that LAURA GILBERT is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the Director of Seattle Transportation of the City of Seattle, a municipal corporation, to be the free and voluntary act of such corporation for the uses and purposes mentioned in the instrument.

Dated this 29<sup>th</sup> day of July, 1997.



  
(Signature of Notary)

Karen S. Scott-Muller  
(Legibly Print or Stamp Name of Notary)

Notary public in and for the state of Washington, residing at Renton

My appointment expires 4-1-99



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# City of Seattle

Norman B. Rice, Mayor  
Executive Department - Office of Management and Planning  
Judy Bunnell, Director

August 22, 1997

The Honorable Mark Sidran  
City Attorney  
City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING  
DEPARTMENT: Seattle Transportation

SUBJECT: A ORDINANCE vacating the Alley in Block 2, Ross 2nd Addition, being the alley in the block bounded by West Emerson Street, 6th Avenue West, West Nickerson Street, 3rd Avenue West, and West Bertona Street, and the Alley between Block 55 and Block 56, Denny & Hoyt's Addition, being the alley in the block bounded by West Cremona Street, 3rd Avenue West, West Bertona Street, West Nickerson Street and Queen Anne Avenue North, on the petition of Seattle Pacific University; accepting deeds to real property for park and recreation purposes, and general municipal purposes; and accepting a hold harmless agreement (Clerk File No. 298688).

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Kwan Wong at 684-8083.

Sincerely,

Norman B. Rice  
Mayor

by

JUDY BUNNELL  
Director

h:\admin\legislative\trwong21

Seattle Municipal Building, 600 Fourth Avenue, Seattle, WA 98104-1826

Enclosure Tel: (206) 684-8080, TDD (206) 684-8118, FAX: (206) 233-0085

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97-230

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97 AUG 26 AM 9:43

ALL CITY ATTORNEY

OK  
JBB  
8-27-97

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TIME AND DATE STAMP

**SPONSORSHIP**

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY  
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

*Richard J. Turner*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
PRESIDENT'S SIGNATURE

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**STATE OF WASHINGTON - KING COUNTY**

86227  
City of Seattle, City Clerk

—SS.

No. ORDINANCE IN

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORD 118749/MAP

was published on

10/29/97

The amount of the fee charged for the foregoing publication is the sum of \$ , which amount has been paid in full.

Subscribed and sworn to before me on

10/29/97

Notary Public for the State of Washington,  
residing in Seattle

Affidavit of Publication

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.